

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.303 OF 2006
WITH
CIVIL APPLICATION NO.302 OF 2006
IN
LETTERS PATENT APPEAL NO.234 OF 2006
IN
WRIT PETITION NO.401 OF 2001

Municipal Corporation for the city
of Kalyan and Dombivli, Thane ...Applicant

V/s.
R.C. Baania, Thane ...Respondent

Mr.M.S. Kumthekar, Advocate, h/f. Mr.A.S. Rao for
the Applicant.

Mr.J.M. D'Silva, Advocate, for the Respondent.

CORAM : J.N. PATEL &
A.A. SAYED, JJ.

DATE : 10TH JULY, 2007.

P.C. :

1. Heard the learned Counsel for the parties.

2. Though the reasons given in the application for condonation of delay are far from satisfactory and the delay is of 337 days, we are inclined to condone the delay in order to give a fair opportunity to the applicant-Municipal Corporation but subject to payment of costs of Rs.5,000/- to be paid by the Assistant Municipal Commissioner who was in charge of the affairs from his own pocket.

3. Costs to be paid to the Respondent or deposited in this Court within a period of two weeks from today. Thereafter, the Letters Patent Appeal be listed for admission.

[A.A. SAYED, J.]

[J.N. PATEL, J.]